

**LIBELED:** 7-19-65, E. Dist. Tenn.

**CHARGE:** 402(a) (3)—contained rodent urine; and 402(a) (4)—held under insanitary conditions.

**DISPOSITION:** 8-9-65. Consent—claimed by Bush Bros. & Co., and reconditioned.

**30270. Dried Great Northern beans and navy beans.** (F.D.C. No. 50649. S. Nos. 36-543 A, 36-545 A.)

**QUANTITY:** 498 100-lb. bags of Great Northern beans and 478 100-lb. bags of navy beans at Denton, Tex., in possession of Whitson Food Products.

**SHIPPED:** 4-2-64 and 6-22-64, from Gering, Nebr., and Merrill, and Saginaw, Mich.

**LIBELED:** 10-5-64, E. Dist. Tex.

**CHARGE:** 402(a) (3)—the Great Northern beans contained insect larvae, insect parts, and insect excreta, and the navy beans contained rodent urine; and 402(a) (4)—both articles held under insanitary conditions.

**DISPOSITION:** 12-7-64. Consent—claimed by Witson Food Products and segregated. The Great Northern beans were denatured except for 4,000 lbs. which were destroyed; 2,000 lbs. of the navy beans were destroyed, and the remainder of such beans were released as fit for human consumption.

**30271. Dried pinto beans.** (F.D.C. No. 50064. S. No. 62-085 A.)

**QUANTITY:** 405 100-lb. bags at Kimberly, Idaho.

**SHIPPED:** 4-6-64, from Kimberly, Idaho, to Northridge, Calif., by Bean Growers Warehouse Association, Inc., and subsequently returned to Kimberly, Idaho.

**LABEL IN PART:** (Bag) "Outwest Brand Idaho Pinto Beans Packed by Bean Growers Whse. Assn., Inc., Twin Falls, Idaho."

**RESULTS OF INVESTIGATION:** Inspection showed that the article had been held in a rodent-infested plant at the Bean Growers Warehouse Association, Inc., Kimberly, Idaho.

**LIBELED:** 4-27-64, Dist. Idaho.

**CHARGE:** 402(a) (4)—the article had been held under insanitary conditions when shipped from Kimberly, Idaho.

**DISPOSITION:** 11-30-64. Consent—claimed by Bean Growers Warehouse Association, Inc., and reconditioned.

**30272. Dried pinto beans.** (F.D.C. No. 51168. S. No. 17-553 B.)

**QUANTITY:** 171 100-lb. bags, at Northridge, Calif., in possession of Alfred M. Lewis, Inc.

**SHIPPED:** 2-1-65, from Rupert, Idaho.

**LIBELED:** 4-13-65, S. Dist. Calif.

**CHARGE:** 402(a) (3)—contained rodent urine; and 402(a) (4)—held under insanitary conditions.

**DISPOSITION:** 7-1-65. Consent—claimed by Mini-Cassia Marketing Co-Op., Inc., Rupert, Idaho, and reconditioned.

**30273. Dried pinto beans and dried Great Northern beans.** (F.D.C. No. 49390. S. Nos. 55-026/7 X.)

**QUANTITY:** 29 100-lb. bags of pinto beans and 22 100-lb. bags of Great Northern beans, at Pikeville, Ky., in possession of Carter & Sadler Wholesale Co., Inc.

SHIPPED: 1-5-63 and 9-6-63, from Greeley, Colo., and Huntington, W. Va.

LIBELED: 10-10-63, E. Dist. Ky.

CHARGE: 402(a) (4)—held under insanitary conditions.

DISPOSITION: A default decree of condemnation was entered on 4-27-64. On 4-30-64, the decree was vacated pending reconditioning. On 4-28-65, a second decree was entered and the articles were destroyed.

30274. Canned cut green beans. (F.D.C. No. 51096. S. No. 26-201 B.)

QUANTITY: 109 cases, each containing 24 15½-oz. cans, at Siloam Springs, Ark.

SHIPPED: 2-19-65, from St. Louis, Mo., by Allen Canning Co., Siloam Springs, Ark. This was a return shipment.

LABEL IN PART: (Can) "Deck's Cut Green Beans \* \* \* Distributed by Deck Sales Agency Springfield, Mo."

LIBELED: 3-1-65, W. Dist. Ark.

CHARGE: 402(a) (3)—when shipped, the article contained decomposed beans; and 403(h) (1)—the article fell below the standard of quality for canned cut green beans, since the article contained more than 8 percent by count of blemished units, and its label failed to bear a statement that it fell below such standard.

DISPOSITION: 5-5-65. Default—destruction.

30275. Dried small red beans. (F.D.C. No. 50268. S. Nos. 96-804 A, 96-811 A.)

QUANTITY: 248 100-lb. bags at Manteca, Calif.

SHIPPED: 5-29-64, from Kennewick, Wash.

LIBELED: 8-4-64, N. Dist. Calif.

CHARGE: 402(a) (3)—contained rodent urine while held for sale.

DISPOSITION: On 1-4-65, a default decree of condemnation was entered ordering destruction of the article. The decree was subsequently vacated and the article was claimed by Klein Bros., Inc., Stockton, Calif. A consent decree of condemnation was entered on 3-11-65, providing for reconditioning; 475 lbs. were destroyed.

#### TOMATOES AND TOMATO PRODUCTS

30276. Canned tomatoes (2 seizure actions). F.D.C. Nos. 51249; 51278. S. Nos. 55-591 B; 55-598/99 B.)

QUANTITY: 2,015 cases, each containing 24 1-lb. cans, at York, Pa.

SHIPPED: Between 3-8-65 and 3-23-65, from Hagerstown, Md., by Miller's Celery & Asparagus Farms.

LABEL IN PART: (Cans) "Penn Dale Tomatoes \* \* \* Distributed by Associated Wholesalers, Inc., York, Pa."; and "Shurfine Fancy Whole Tomatoes \* \* \* Distributed by Eastern Retailer-Owned Grocers Cooperative, Inc., New York, N.Y."

LIBELED: 4-2-65 and 4-22-65, M. Dist. Pa.

CHARGE: 402(a) (3)—contained fly eggs and maggots; and 402(a) (4)—prepared and packed under insanitary conditions.

DISPOSITION: 7-2-65. Consent—claimed by Miller's Celery & Asparagus Farms. Segregated; 1,776 cans destroyed.